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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KYLE SMITH,

Defendant.

CASE NO. 1:20-CR-00170-DAD-BAM
STIPULATION FOR REVISED BRIEFING
SCHEDULE; ORDER
COURT: Hon. Barbara A. McAuliffe

BACKGROUND

IT IS HEREBY STIPULATED by and between the Defendant, KYLE SMITH, his attorney of record, Michael McKneely, and Assistant United States Attorneys, JUSTIN J. GILIO and ANTHONY J. PATACA, that a request for an extension for the motions briefing schedule be granted.

STIPULATION

1. On October 19, 2021, based upon the stipulation and representations of the parties, the Court adopted and ordered a proposed motions schedule as follows: Defense motions due October 29, 2021; Government oppositions due December 1, 2021; and Defense replies due December 22, 2021. A hearing on motions was set for January 10, 2022, at 10:00 AM before District Judge Dale A. Drozd.
2. On October 28, 2021, Defendant filed a motion to suppress evidence.
3. The parties are engaged in active settlement negotiations and request additional time to pursue a resolution of the case, and if that fails, prepare and file the relevant opposition and reply briefs.

The parties agree the following extension of time will be adequate:

- a) Government Opposition due December 10, 2021
- b) Defense Reply due December 31, 2021
- c) Hearing remains Jan. 10, 2022, at 10:00 AM before District Judge Dale A. Drozd

IT IS SO STIPULATED.

Dated: November 24, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

Dated: November 24, 2021

/s/ Michael McKneely
Michael McKneely
Counsel for Defendant
KYLE SMITH

FINDINGS AND ORDER

GOOD CAUSE APPEARING, the above request to extend the time for motions briefing is granted. The government's opposition brief in case number 1:20-CR-00170-DAD-BAM is due by December 10, 2021 and Defendant's reply is due by December 31, 2021. The motions hearing remains set for January 10, 2022, at 10:00 AM before District Judge Dale A. Drozd.

IT IS SO ORDERED.

Dated: November 28, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE